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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/954,788      | 09/18/2001  | Nestor Kolcio        | UPI 2-001           | 8181             |

7590

06/27/2002

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EXAMINER

MORAN, KATHERINE M

ART UNIT

PAPER NUMBER

3765

DATE MAILED: 06/27/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/954,788

Applicant(s)

KOLCIO ET AL.

Examiner

Katherine M Moran

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3765

-- Th MAILING DATE of this communication app ars on th cov r sh et with th correspond nce addr ss --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 18 September 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 September 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 112*

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 1 and 8 recite a rubber insulating glove meeting the ASTM Standard Specification for Rubber Insulating Gloves. However, this standard is subject to change. Accordingly, the structural properties of the glove are unclear.

3. Claims 2 and 9 recite the limitation "the inward fingertip regions" in line 3 of each claim. There is insufficient antecedent basis for this limitation in the claims.

### *Claim Rejections - 35 USC § 103*

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1, 6-8, 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barnett et al. (U.S. 4,536,890). Barnett '890 discloses the invention substantially as claimed. Barnett teaches a method of using a rubber, insulating glove 10 with a non-conductive, adhesively retained flock lining on a palm and back interior, for accessing low-voltage electrical

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components. The glove is intended to be used in an electronic equipment manufacturing environment and may be periodically removed from the one's hand to cool and remove moisture. Column 3, line 52 teaches that the flock may be sprayed on the interior glove region. However, Barnett does not teach a method for accessing electrical components energized at voltages of less than about 500 volts rms (Class 00) and less than about 1000 volts rms (Class 0) by providing a rubber insulating glove of Class 00 or Class 0. Low-voltage (Class 0), insulated, rubber gloves provide maximum protection to electricians and others who come in contact with energized equipment and circuits of 1000 volts or less, and are well-known in the art. The extra flexibility of these gloves allows the user to handle small tools and parts easily. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use the glove of Barnett for accessing electrical components energized at voltages of less than about 500 volts rms or less than about 1000 volts rms to ensure maximum protection while providing sufficient flexibility and dexterity.

6. Claims 2-5 and 9-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barnett '890 in view of Ganz (U.S. 3,883,899). Barnett discloses the invention substantially as claimed. However, Barnett does not teach roughening the external surface of the glove at the inward fingertip regions and palm region by forming ridges in a triangular pattern into the external surface. Ganz '899 teaches a rubber glove 11 with ridges on an exterior inward fingertip and palm region for enhanced gripping and tactile properties (col.5, lines 1-10). The triangular pattern is commonly employed in textured glove surfaces and is desirable for its anti-skid properties. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to provide the glove of Barnett with the triangular-patterned ridges on

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external fingertip and palm surfaces as taught by Ganz to provide frictional forces between the glove and objects being gripped.

*Conclusion*

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Freitag (U.S. 1,940,491), Burke (U.S. 3,596,134), Kolcio et al. (U.S. 4,583,039), and Bock (U.S. 4,921,672) teach relevant prior art.

Any inquiry concerning this communication or earlier communications should be directed to Examiner Katherine Moran at (703) 305-0452. The examiner can be reached on Monday-Thursday from 8:30 am to 6:00 pm, and alternating Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Calvert, may be reached at (703) 305-1025. The official fax number for the organization where this application is assigned is (703) 872-9302. The after final fax number for this organization where this application is assigned is (703) 872-9303.

Any inquiry of a general nature or relating to the status of this application should be directed to the receptionist at (703) 308-1148.

Kmm

June 23, 2002



Peter Nerbun  
Primary Examiner